

St. Louis City Ordinance 63855

FLOOR SUBSTITUTE

BOARD BILL NO. [96] 122

INTRODUCED BY ALDERMAN PHYLLIS YOUNG , MARY ROSS , NANCY WEBER

An Ordinance authorizing the Terminal Railroad Association of St. Louis, its successors, lessees and assigns, to construct, maintain and operate certain railroad tracks in the City of St. Louis, and to operate trains, cars and engines thereover, together with all necessary appurtenances and instrumentalities; and prescribing the terms and conditions of said grant.

WHEREAS, Terminal Railroad Association of St. Louis maintains and operates a single and double-track railroad partly along the surface and partly upon an elevated structure, extending from approximately Twelfth Street, between Poplar and Gratiot Streets, eastwardly to the levee or wharf and thence northwardly to Carrie Avenue, pursuant to Permits Nos. 8600 and 8602, granted by the Board of Public Service of the City of St. Louis; and

WHEREAS, it has become necessary to replace the existing elevated structure and to relocate or otherwise make certain changes in the line of route described in said Permits Nos. 8600 and 8602:

BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:

SECTION ONE. Subject to the terms and conditions herein set out, permission and authority are hereby granted to Terminal Railroad Association of St. Louis, its successors, lessees and assigns, (1) to replace and relocate a portion of its existing line of railroad in the City of St. Louis, Missouri, said relocated tracks being more particularly described and indicated on detailed plans and specifications to be filed with and approved by the Board of Public Service before any of the track replacement and relocation work herein authorized shall be undertaken, which said detailed plans and specifications are hereby made a part of this ordinance by reference; and (2) to construct, maintain and operate the following described single and double track line of railroad in the City of St. Louis, portions of which are elevated, and to operate trains, cars and engines thereover, together with all necessary structures, appurtenances and instrumentalities, said line of railroad being more particularly described and indicated on a map(s) to be filed with and approved by the Board of Public Service, which said map is hereby made a part of this ordinance by reference:

(a) Beginning with the south line of Poplar Street, 50 feet wide, and the east line of Tucker Boulevard (12th Street Viaduct), south along said east line a distance approximately 310 feet to the intersection of Terminal Railroad Association of St. Louis trackage, in City Block 418, and running thence southeasterly across Cerre Street, Eleventh Street, across City Block 432, Tenth Street City Block 429, Ninth Street including all North and South alleys across City Blocks 422, 419, 148, 161, 160, 77, 52, 41, 40 and across north and south alleys in said blocks, over and across Eighth, Seventh and Sixth Streets, Broadway, Fourth, Third, Second and Plum Streets, across City Block 1, over and across First, Commercial and Poplar Streets to the south boundary of the Jefferson National Expansion Memorial Area.

(b) Also beginning on the Levee at the east boundary of the Jefferson National Expansion Memorial Area at a point approximately 300 feet south of the Eads Bridge, thence northwardly over and along the Levee to a point near the foot of Cole Street; thence in a northwesterly direction across City Block 18, across Commercial Alley, across Carr Street, across City Block 19 and north and south alley in same, to the intersection of First and Biddle Streets; thence northwardly in and along First Street, across Ashley, O'Fallon, Dickson, Florida, Mullanphy, Mound, Brooklyn, Tyler, Chambers, Madison and Clinton Streets; thence in a northeasterly direction across City Blocks 2142 and 2143 and across North Market Street to Hall Street; thence northwardly in and along Hall Street across Branch, Dock, Buchanan, Angelrodt, Destrehan, Salisbury, Bremen, Angelica, Penrose and Ferry Streets, thence in a northwesterly direction across and through the grounds of the City of St. Louis Water Works, through City Block 2498, across May Street, through City Block 2497, and east and west alley in the same, to the intersection of McKissock and Grand Avenues; thence northwardly along and in McKissock Avenue to Adelaide Avenue, over and across John, Gano, Prairie, DeSoto, Talcott, Withers, and Adelaide Avenues; thence across City Block 3417 in a northwesterly direction to Bulwer Avenue and its intersection with Harris Avenue; thence northwardly in and along Bulwer Avenue to Carrie Avenue.

(c) Beginning at the intersection of Bremen Avenue with Hall Street and running northwardly along and in Hall Street a distance of 800 feet, more or less, to the west line of City Block 2520; through City Block 2520; across Angelica Street; through City Blocks 2509, 2502 and 2503, and across the alleys and streets between the same; across Penrose Street and Ferry Street to the City of St. Louis Water Works; through the property of said Water Works to Ferry Street; along and in Ferry Street and across City Block 2506 and the Wharf to the Mississippi River, the portion of said route herein described being the south approach to the St. Louis Merchants Bridge.

(d) Also, beginning near the south line of City Block 2450 at a point 1000 feet, more or less, east of the east line of Hall Street (100 feet wide), and running northwestwardly 2100 feet, more or less, along a curve to the right and tangent thereto, to the east line of the Norfolk & Western Railroad right-of-way, the portion of said route herein described being the north approach to the St. Louis Merchants Bridge.

SECTION TWO. All cost of protecting, re-arranging and restoring any of the tracks or railroad facilities herein authorized, should they at any time be disturbed or interfered with by any underground, surface or overhead work, or any change in street grade, or any public work or improvement undertaken by the City or any other public authority or agency, shall be borne by said Terminal Railroad Association of St. Louis.

SECTION THREE. The surface of all streets, alleys, and the public wharf or levee disturbed by said work shall be restored by said Terminal Railroad Association of St. Louis to the satisfaction of the Director of Streets, otherwise such repairs shall be made by the City at the expense of said Terminal Railroad Association of St. Louis. Where said tracks extend in, along or across the public streets, alleys, wharf or levee at grade, said Terminal Railroad Association of St. Louis shall, at its expense, maintain the paving between its tracks and rails, and for one foot outside thereof, in a safe condition for public travel, and where its elevated structures occupy any such public places, it shall likewise maintain them, at its expense, in a proper state of repair.

SECTION FOUR. The term of the franchise and the rights and privileges granted herein shall be for the period of fifty (50) years from the effective date of this ordinance.

SECTION FIVE. In consideration of the rights and privileges herein granted, said Terminal Railroad Association of St. Louis agrees to pay to the City of St. Louis, within thirty (30) days after this ordinance becomes effective, the sum of Nineteen Thousand Dollars (\$19,000.00), and a like sum annually thereafter for each year or portion thereof that this franchise ordinance remains in force and effect.

SECTION SIX. The franchise herein granted is expressly conditioned upon the right of the City to amend, alter or repeal the same, in whole or in part, and to forfeit the same at any time for misuse or non-use, or for the failure of said Terminal Railroad Association of St. Louis to comply with any of the terms or conditions imposed upon it by this ordinance, subject, however, to such rights, remedies and redress as said Terminal Railroad Association of St. Louis may

have under the Constitution and laws of the State of Missouri and the United States, and subject also to the powers and jurisdiction which any state or federal commission or agency may now or hereafter have in the premises.

SECTION SEVEN. Before availing itself of any of the rights and privileges conferred by this ordinance, said Terminal Railroad Association of St. Louis shall, prior to the effective date of this ordinance, file with the City Register its written acceptance thereof, thereby agreeing to comply with all its terms and conditions as well as all lawful charter and ordinance provisions of the City of St. Louis and the laws of the State of Missouri, now in force or which hereafter may be legally enacted, with respect to any of the rights and privileges herein granted or duties and obligations herein imposed, and that said Terminal Railroad Association of St. Louis will hold, save, indemnify and keep harmless the City of St. Louis from any and all loss, injury or damages which may be sustained by it, and all claims for loss, injury or damages which may be made against it for which it shall be held legally liable, and costs and expenses in connection therewith to which it may be put, by reason of any and all acts or things done or required to be done under the terms of this ordinance.

SECTION EIGHT. In compliance with the provisions of Section One of Article Nineteen of the Charter of the City of St. Louis, as soon as the report of the Board of Public Service on this bill is made to the Board of Aldermen, the said report, together with this bill, shall, before this bill is put upon its adoption, be published once in the City Journal.

Legislative History					
1ST READING	REF TO COMM	COMMITTEE	COMM SUB	COMM AMEND	VOTE
06/14/96	06/14/96	T&C			
2ND READING	FLOOR AMEND	FLOOR SUB	VOTE	PERFECTN	PASSAGE
06/28/96				07/03/96	07/19/96
ORDINANCE	VETOED		VETO OVR		EFFECTIVE
63855					